

**IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

DON WILLIAMS d/b/a URTHCOM, LLC,
Plaintiff,

v.

SOLID CONTACT BASEBALL, INC.,
Defendants.

SOLID CONTACT BASEBALL, INC.,

Counter-Plaintiff,

v.

DON WILLIAMS,

Counter-Defendant.

SOLID CONTACT BASEBALL, INC.,

Third Party Plaintiff,

v.

URTHCOM, LLC; PETER CEKO; AND
CEKOM, CORP.,

Third Party Defendants.

Case No. 08 C 2839

Chief Judge Holderman

Magistrate Judge Ashman

**URTHCOM, LLC's
MOTION TO DISMISS THIRD PARTY COMPLAINT**

Third Party Defendant, URTHCOM, LLC, pursuant to Fed.R.Civ.P. 9(b) and 12(b)(6), moves this Honorable Court to Dismiss Defendant's Third Party Complaint. In support of the Motion, URTHCOM, LLC files contemporaneously herewith a Memorandum of Law which it incorporates herein by reference as if set forth in full.

WHEREFORE, Third Party Defendant, URTHCOM, LLC respectfully requests that this Court Dismiss Defendant's Third Party Complaint pursuant to Fed.R.Civ.P. 9(b) and 12(b)(6) and for such other and further relief that the Court deems appropriate and just.

Dated: August 18, 2008

Respectfully Submitted,

URTHCOM, LLC

By: /s/ Charles F. Morrissey
One of his attorneys

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